

Jun 14, 2017

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UNITED STATES DISTRICT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MIREYA HERNANDEZ,

Defendant.

Case No.: **2:17-mj-00260-JTR**

Motion To Seal the Criminal
Complaint, Affidavit, and its
Attachments and the Motion and
Order to Seal

Plaintiff, United States of America, by and JOSEPH H. HARRINGTON,
Acting United States Attorney and Scott T. Jones, Assistant United States Attorney
for the Eastern District of Washington, moves the Court pursuant to Federal
Criminal Procedure Rule 49.1(d), for an Order sealing the Complaint and Affidavit
to the Complaint on the grounds that disclosure at this time may jeopardize the on-
going investigation by the Federal Bureau of Investigation. Premature disclosure
of the specific details of this ongoing investigation (as reflected in the affidavit in
support of the Criminal Complaint) would jeopardize this ongoing criminal
investigation, threatening the ability of the United States to obtain all relevant
evidence and lead to the destruction of evidence.

Pursuant to 18 U.S.C. Sections 3103a and 2705(a)(2)(E), the United States
requests that this affidavit as well as accompanying documents remain sealed,
Motion To Seal the Criminal Complaint, Affidavit, and its Attachments and the
Motion and Order to Seal - 1

1 because disclosure at this time may seriously jeopardize an investigation. This
2 Court has the inherent power to seal affidavits in support of criminal complaints to
3 protect an ongoing investigation, pursuant to Local Rule 8 (m) of the Local
4 Criminal Rules for the United States District Court for the Eastern District of
5 Washington. Local Magistrate Rule 8 specifies other duties of full-time Magistrate
6 Judges and states that full time Magistrate Judges in this district shall “[h]ave
7 authority to order the sealing and unsealing of documents by the Clerk of the
8 Court.” *See also State of Arizona v. Maypenny*, 672 F.2d 761, 765 (9th Cir.);
9 *Matter of Sealed Affidavit(s) to Search Warrants*, 600 F.2d 1256 (9th Cir. 1979); *In*
10 *re Braughton*, 520 F.2d 765, 766 (9th Cir. 1975).

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15 Dated: June 14, 2017.

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17 JOSEPH H. HARRINGTON
18 Acting United States Attorney

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21 Scott T. Jones
22 Assistant United States Attorney
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